

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

NAVISTAR FINANCIAL CORPORATION;  
and NAVISTAR LEASING COMPANY,

Plaintiff,

v.

STEPHEN P. HROBUCHAK, JR.,

Defendant,

and

FIRST NATIONAL COMMUNITY BANK,

Garnishee.

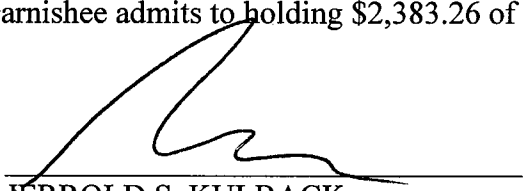
Civil Action No. 3:08-cv-959

**AFFIDAVIT OF JERROLD S. KULBACK**

STATE OF NEW JERSEY :  
: ss  
COUNTY OF CAMDEN :

JERROLD S. KULBACK, being duly sworn, upon his oath, deposes and says:

1. I am an attorney at law of the Commonwealth of Pennsylvania, and a partner of the law firm of Archer & Greiner, P.C., attorneys for Plaintiffs in the above captioned matter.
2. Interrogatories in Aid of Execution were served on Garnishee, First National Community Bank (the "Garnishee").
3. Answers of Garnishee were served on Plaintiffs, a copy of which are attached hereto as Exhibit "A."
4. In response to Interrogatory No. 2, Garnishee admits to holding \$2,383.26 of Defendant's money.

  
JERROLD S. KULBACK

Sworn and subscribed to  
before me on this 26th day  
of November 2008

  
Notary Public

3698821v1

*Harry at Law*

# EXHIBIT “A”

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

NAVISTAR FINANCIAL CORPORATION; and  
NAVISTAR LEASING COMPANY,

Plaintiff,

v.

STEPHEN P. HROBUCHAK, JR.,

Defendant.

Civil Action No. 3:08-cv-959

**INTERROGATORIES OF PLAINTIFF DIRECTED  
TO GARNISHEE AND ANSWERS THERETO**

TO: First National Community Bank  
269 E. Grove Street  
Clarks Summit, PA 18411

You are required to file answers to the following interrogatories within 20 days after service upon you. Failure to do so may result in a default judgment against you.

1. At the time you were served or at any subsequent time, did you owe the defendants any money or were you liable to them on any negotiable or other written instrument, or did they claim that you owed them any money or were liable to them for any reason? If so, please identify.

ANSWER: No

2. At the time you were served or at any subsequent time, were there in your possession, custody or control or in the joint possession, custody or control of yourself and one or more other persons any property of any nature owed solely or in part by the defendants? If so, please identify.

ANSWER: Yes, two accounts. A) 56-115824-5 with a balance of \$15.00  
B) 56-701446-7 with a balance of \$3,297.69.  
The Bank will utilize its right of offset on commercial loan 6-54/90600751, which is due for 11/15/08 in the amount of \$879.43. Therefore the amount subject to this action is in the amount of \$2,433.26. This amount, less our \$50.00 service charge associated with this Notice, will be forwarded at a future date.

3. At the time you were served or at any subsequent time, did you hold legal title to any property of any nature owed solely or in part by the defendants, or in which defendants held or claimed any interest? If so, please identify.

ANSWER: NO

4. At the time you were served or at any subsequent time, did you hold as fiduciary any property in which the defendants had an interest? If so, please identify.

ANSWER: See response to #2 above.

5. At any time before or after you were served, did the defendants transfer or deliver any property to you or to any person or place pursuant to your direction or consent and, if so, what was the consideration therefore?

ANSWER: No

6. At any time after you were served, did you pay, transfer or deliver any money or property to the defendants, or to any person or place pursuant to their direction or otherwise discharge any claim of the defendants, against you?

ANSWER: No

7. At the time you were served or at any subsequent time, did you owe defendants any monies? If so, please identify.

ANSWER: No

Dated: November 13, 2008  
Haddonfield, New Jersey

ARCHER & GREINER, PC

By: 

Jerrold S. Kulback (Pa.84563)  
One Centennial Square  
Haddonfield, New Jersey 08033  
Tel: (856) 795-2121  
Fax: (856) 795-0574  
E-mail: [jkulback@archerlaw.com](mailto:jkulback@archerlaw.com)


*Attorneys for Plaintiffs, Navistar Financial  
Corporation and Navistar Leasing Company*

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**AFFIDAVIT**

COMMONWEALTH OF PENNSYLVANIA :  
: ss.  
COUNTY OF LACKAWANNA :

STEPHEN J. KAVULICH, Executive Vice President of the FIRST NATIONAL COMMUNITY BANK, being duly sworn according to law deposes and says that he has read the foregoing Answers to Interrogatories To The Garnishee and the facts set forth herein are true and correct to the best of his knowledge, information and belief.

  
STEPHEN J. KAVULICH  
EXECUTIVE VICE PRESIDENT  
FIRST NATIONAL COMMUNITY BANK

Sworn to and subscribed before me  
this 21 day of November 2008.

  
Notary Public

